

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

EDMUND KEITH BRADSHAW,

07-CV-544-PK

Petitioner,

ORDER

v.

BRIAN BELLEQUE,

Respondent.

MICHELLE A. RYAN

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Portland, OR 97213

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Attorney for Petitioner

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**BROWN, Judge.**

Magistrate Judge Paul Papak issued Findings and Recommendation (#69) on February 14, 2011, in which he recommends the Court deny Petitioner Edmund Keith Bradshaw's Amended Petition (#37) for Writ of Habeas Corpus, dismiss this matter with prejudice, and deny a certificate of appealability. Petitioner filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*).

In his Objections Petitioner reiterates the arguments contained in his Memorandum in Support of [Amended] Petition for Writ of Habeas Corpus, Reply, and Sur-Reply. The Court has

carefully considered Petitioner's arguments and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#69) and, therefore, **DENIES** the Amended Petition (#37) for Writ of Habeas Corpus and **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability.

IT IS SO ORDERED.

DATED this 11<sup>th</sup> day of March, 2011.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge